

Serial No.: 10/511,374
(International Application No. PCT/AU02/01642)
Applicant: Donald B. Webb
Atty. Ref.: 11134.0009.PCUS00

RESPONSE TO RESTRICTION REQUIREMENT

The Examiner has required the applicant to elect either Group I, claims 1-4, 8 drawn to a process of making a paper product and the paper product, or Group II, claim 5 drawn to an apparatus for making a paper product. In response to the restriction requirement which the Examiner imposed, Applicant (1) elects to prosecute Group I, with traverse, and (2) identifies claims 1-4, 8 as encompassing the elected invention.

The examiner restricted applicant's claims as follows:

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Claim 5 is either obvious over or anticipated by WO 98/43805. Accordingly, the special feature linking the two inventions, a first conveyor, a second conveyor, means for changing configuration of conveyor, does not provide a contribution over the prior art, and no single general inventive concept exists.

The applicant traverses this restriction. A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. MPEP §1893.03(d). PCT Rule 13.2 provides that unity of invention is considered to be fulfilled as follows:

Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the

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claimed inventions, considered as a whole, makes over the prior art.

Contrary to the Examiner's statements, there is a technical relationship among the inventions of claims 1-4, 8 and that of claim 5 involving one or more of the same or corresponding special technical features. These technical features include: (1) the production of a paper product; (2) a first conveyor belt and progressively forming the conveyor belt into an upwardly open U-shape configuration; and (3) a second conveyor belt that is guided into the first conveyor belt to progressively compact a mix of paper and water.

Moreover, an "apparatus or means [such as claim 5] is specifically designed for carrying out the process when the apparatus or means is suitable for carrying out the process with the technical relationship being present between the claimed apparatus or means and the claimed process." MPEP §1893.03(d). Accordingly, the applicant requests the examiner to withdraw the restriction requirement and allow for rejoinder of claim 5 to claims 1-4, and 8.

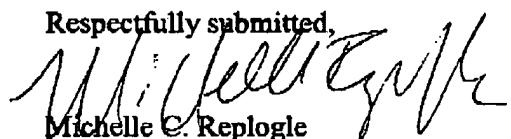
The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing Order No. 11134.0009.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

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Respectfully submitted,



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